



Deerfield Beach Community Redevelopment Agency

AGENDA

Regular Meeting

Tuesday, May 18, 2010, 6:30 P.M.

City Commission Chambers, Deerfield Beach City Hall

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES (MARCH 9, 2010)

3. APPROVAL OF THE AGENDA*

May 18, 2010

4. OLD BUSINESS

- 4.1 Discussion Regarding Property Acquisition
- 4.2 Discussion Regarding the Schematic Design for the Pier Entrance Buildings

5. NEW BUSINESS

- 5.1 Discussion regarding amending the CRA Plan to allow for support of business generating activities within the Redevelopment Area
- 5.2 Request for a motion authorizing staff to advertise for the pre-qualification of contractors for the Cove Shopping Center Parking Lot Reconstruction*
- 5.3 Request for a motion authorizing staff to advertise a Request for Qualifications to select a Construction Manager at Risk for the Pier Entrance Buildings Project*
- 5.4.1 Request for a motion confirming authority of CRA Director to procure services according to City Code*
- 5.5 Request for a motion authorizing a transfer of funds in the amount of \$30,000 from Other Contractual Services to Personal Services*

6. BOARD/ADMINISTRATION COMMENTS

7. ADJOURN

* Indicates an Action Item

(Next Meeting: Tuesday, June 15, 2010, 6:30 PM unless otherwise determined)



Deerfield Beach Community Redevelopment Agency

Special Meeting Minutes
Tuesday, March 9, 2010, 6:00 P.M.
City Commission Chambers, Deerfield Beach City Hall

The meeting was called to order by Chair Noland at 6:00 p.m. on the above date in the City Commission Chambers, City Hall.

Roll Call:

Present: Mr. Bill Ganz
Mr. Joseph Miller
Mr. Martin Popelsky
Vice Chair Sylvia Poitier – Late
Chair Peggy Noland

Also Present: Burgess Hanson, Interim City Manager
Andrew Maurodis, City Attorney
Ada Graham-Johnson, MMC, City Clerk

APPROVAL OF THE AGENDA

March 9, 2010

MOTION was made by Mr. Ganz and seconded by Mr. Popelsky to approve the March 9, 2010 agenda as submitted.

Voice Vote: Mr. Ganz, Mr. Miller, Mr. Popelsky, and Chair Noland.

OLD BUSINESS

None

NEW BUSINESS

ITEM 5.1

TAPE 1, COUNT 034

**APPROVAL OF CONTRACT FOR DESIGN OF PIER
RECONSTRUCTION**

NEW BUSINESS – CONTINUED

Keven Klopp, CRA Director, requested authorization to enter into a contract with Volkert, Incorporated (s/b Associates) for design and construction phase services for pier reconstruction. He explained that there is a separate contract for architecture with Garcia Stromberg; however, there will be a coordinated effort for the project.

Andrew Maurodis, CRA Attorney, said that the contract will be modified, but asked for approval in the current form; subject to final approval by counsel as there is a very specific coordination that must occur between the architect and the engineer.

In response to Chair Noland's question, Mr. Maurodis replied that one of the exhibits provides for a specific time period.

Mr. Klopp said that services may be added to the contract that will have definitive time frames.

Mr. Ganz asked if this is for the engineering design.

Mr. Klopp replied yes.

Mr. Maurodis said that it would also be for construction administration.

Mr. Klopp clarified that it would be for construction services because they are not administering the construction project; but only providing services during construction.

Mr. Ganz asked if the City Attorney will be following the Commission's recent guidelines for background checks for the subcontractors.

Mr. Klopp replied that he is not sure it has been added.

Mr. Maurodis stated that Sharon Cruz, Assistant City Attorney, is drafting an ordinance and it has become practice to include them in all the RFP's.

Mr. Miller said he is ready to take action on the item.

Mr. Popelsky said that he is in agreement with the engineering portion, but inquired about the placement of the heavy equipment; as he does not want the walkway blocked from the parking lot to the restaurants.

Mr. Klopp said that this will be a consideration; additionally, they will proceed with a construction manager at risk process and bring the manager in now to begin coordinating the two (2) designs, phasing, staging areas, etc.

Mr. Popelsky asked if any repairs will be made to the bridge that fall below the water level.

NEW BUSINESS – CONTINUED

Mr. Klopp replied yes.

Mr. Popelsky asked when the engineers will review it.

Mr. Klopp replied upon approval of the contract a coordination meeting will be scheduled by the end of the week, or early next week.

Mr. Popelsky asked if any Commissioners would be invited as he would like to attend.

Mr. Klopp replied that he will provide a report subsequent to the meetings, but had not planned on including Commissioners as the meeting is very technical.

Mr. Popelsky said that he had questioned the different methods for installing stanchions and what is best for the location, as well as the least amount of obstruction to any of the businesses.

Burgess Hanson, Interim City Manager, said that he and Mr. Klopp would meet with the Board members after those meetings to provide an updated summary.

Motion was made by Mr. Ganz and Seconded by Mr. Popelsky to approve Item 5.1, subject to final approval by counsel and subject to including the background checks.

Roll Call: YEAS: Mr. Ganz, Mr. Miller, Mr. Popelsky, and Chair Noland. NAYS: None.

BOARD/ADMINISTRATION COMMENTS

Chair Noland said that she has received complaints from the businesses in the Cove Shopping Plaza regarding the construction on Hillsboro Boulevard; regarding construction in the Cove Parking Lot. She explained the current situation with the traffic flow and other issues, and asked that the Board consider the ramifications. Although, she does not want to halt business for the establishments that are still there; as the promise was that it will be done in sections, closing each lane down for 24 hours on Hillsboro Boulevard, by October, both lanes would be open and one lane would be periodically closed; however, that is not the case.

Continuing, Chair Noland said that at the last meeting, the Board discussed purchasing property when construction begins in the beach area. Currently, the construction plan appears to take parking from the front of Bob's Pizza and Whales Rib. She suggested that the Board consider purchasing some of the properties and requested an update on purchasing the properties.

Mr. Klopp said that Item 6.1 included a report that has 12 items that he would like to discuss this evening; this was one of them.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

Mr. Miller said that he also receives complaints; however, some people want to proceed and others do not. He said that the two (2) step engineering plan will be the least destructive; however, the plan has not commenced and asked that Mr. Klopp proceed. He said that with the number of stores empty, this may be a good time to start construction.

Vice Chair Poitier entered the meeting at this time.

Mr. Ganz said that he does not want to see any delays on the rejuvenation of the parking lot. He said that there is a huge difference between the two (2) projects, because it is difficult to work on Hillsboro Boulevard when people are moving through it. Additionally, he expressed concern with the two (2) tier process as it would delay the parking lot rejuvenation. He said that he would like to move ahead and if the two (2) tier process is to be utilized, it needs to start quickly. He said that the public spoke out and we agreed on a plan and it must be done speedily.

ITEM 6.1**TAPE 1, COUNT 0421****PROJECT STATUS REPORT FROM CRA DIRECTOR**

Keven Klopp, CRA Director, referenced a letter he submitted to the Board, as a list of discussion points, not a priority list. He said that the engineering plans for the pier projects are going through the normal procedure, Community Appearance Board, Planning & Zoning Board, as well as staff review. Further, he said he will present a proposal from Garcia Stromberg to handle the LEED certification process; there are also support letters for the grant application which will go out by this week's deadline.

Continuing, Mr. Klopp said that at the last City Commission meeting, a request was made that the A1A PD&E Study be included on tonight's agenda; however, he discouraged it due to the public interest and recommended a specific meeting for the public's outreach for input. Additionally, he has informed the Florida Department of Transportation (FDOT) and Metric, consulting engineer that the Board desires to move forward quickly. There may not be a great alternative as there are pros and cons to all three (3) alternatives; however, to delay without action is a disincentive to investment in the area. He said that he will attempt to have a full public outreach at the next meeting either before the Commission or CRA Board.

RFQ for Real Estate Advisor Consulting Services – Mr. Klopp said that subsequent to the last meeting, he reached out to other CRA's to see how they have handled property acquisition. He suggested that the CRA consider a real estate consultant to assist the CRA in analyzing potential purchases, not necessarily an agent. He said that he will provide a ranking process to the Board for consultant selection.

FY 2011 Capital Improvement Plan – Mr. Klopp said that this may include property acquisition, but also the possibility of bonding; bonding out future CRA revenues and

BOARD/ADMINISTRATION COMMENTS – CONTINUED

borrowing money to have a more substantial five (5) year Capital Improvement Plan. He explained that Sally Siegel, Finance Director, has assisted him by reaching out to financial contacts to gauge the possibilities, and it was discovered that other CRA's are looking to do this. Bank loan financing is very possible in the future, but it would still come to the covenant from the City, but would be based upon very conservative future revenues of the CRA paying back the bond. He said they will continue to pursue the option and report back to the Board.

Hillsboro Boulevard Streetscape – Mr. Klopp said that they are close to finalizing the Hillsboro Boulevard Streetscape; however, there are concerns about bus benches. Although there are shelters, there are not as many benches. He said that bus benches will be installed this month and FPL will begin working soon. Furthermore, an extension on the Hillsboro Boulevard agreement with FDOT has been requested; the deadline is May, however, more time may be needed. Notwithstanding, there was an automatic extension built in upon request.

Antilla Plaza – Mr. Klopp said that this was the vacant property mostly built, but not complete, on the north side of the S-Curve. He said that he continues to hear from potential buyers of Antilla Plaza that are finding issues and not moving forward with property acquisition. He further stated that one of the potential buyers may request CRA assistance as they are walking away from the building because the price of acquisition added to the price of renovation and finishing the facility, with the return on investment, they are not interested anymore. He said he has told the potential buyers what the possibilities are, but they have not moved forward.

Chair Noland said that the bank is not budging at all. She explained what buyers may face because the building has been vacant for so long; and may, possibly have mold issues, and they are asking an exorbitant price. She asked if Mr. Klopp had been in contact with the bank to try and encourage them to work with a potential buyer.

Mr. Klopp said that since the extension was granted they have not returned his calls. He said if the CRA decides to provide incentives, the bank, buyer, and possibly the CRA will have to contribute. However, the CRA should not be sheltering this by itself, but if no one assists, the building will be vacant for quite some time.

Chair Noland asked if there is anything that can be done to force the bank's hand when they own a property that has been vacant for a number of years.

Mr. Maurodis replied that there is nothing on the books.

Chair Noland said that the bank is using the extension as collateral and they are trying to get more money by using that as leverage.

Mr. Miller said that someone called him to determine if a contract was in place.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

Mr. Klopp said that he is not aware of any contracts, and asked that all inquiries be forwarded to him so that he can send them to the bank.

Mr. Miller said that he spoke with someone who was interested in making it an art gallery.

Mr. Klopp said that before the extension was granted, it was expired and there were code violations. The Board had to decide whether to help the buildings be sold and get occupied or push for demolition. He said had the Board considered demolition, they may have been sitting for a longer period of time.

Vice Chair Poitier asked if consideration had been given on what fixed amount the CRA can invest in the project.

Mr. Klopp replied that based on the taxable value, and an estimate of what the taxable value would be if and when it were rehabilitated and occupied. He said that ad valorem revenue to the CRA over the next 20 years, approximately \$150,000 would be realized with the building being occupied.

Vice Chair Poitier said that if the CRA can offer incentives, a specific buyer is not needed. She said that it is the Commission's choice to decide what should be there and thereby encourage investors. She said that the City of Hollywood developed Hollywood Boulevard by offering incentives, as they would attract investors faster.

Mr. Klopp said that the CRA cannot offer incentives at this time as it is not in the CRA Plan. In order to move forward with the proposal he recommended a plan amendment that included an incentive program that the CRA is comfortable with as a part of its plan.

Mr. Ganz said that there should be some incentives, but we should not bailout a bank that has made poor decisions. He said that he believes that the decision previously made was correct, even though the Board was reluctant. However, he would like to see the gentleman who was here that night, receive the same hospitable treatment.

Cove Shopping Center Parking Lot – Mr. Klopp said that this afternoon he attended the Island Partnership Plan meeting which is a beach based group that hopes to expand, broaden, incorporate, and embrace the Cove Shopping Center as well as the businesses west. He said he briefly spoke with the Cove Restaurant operators and they have stated that they would like to discuss the parking lot. He stated that he has received a mixture of calls both for and against starting the project. He said the project is not being delayed and the permit process is still underway. He further stated that Keith and Associates has provided many examples of the two (2) step process; however, he has not had the opportunity to schedule said process; nevertheless, this is not a means to delay it. He suggested having a meeting with the businesses and property owners in the Cove Shopping Center to help them understand the plans and

BOARD/ADMINISTRATION COMMENTS – CONTINUED

alleviate their fears. He said that Royal Fiesta has offered use of their facility for the meeting.

Continuing, Mr. Klopp said that while he was interacting with the public over the weekend, there were many comments about the condition of the shopping center and moving forward with the project.

Vice Chair Poitier said that there have been meetings for the last five (5) years and there is always a different story.

Chair Noland expressed that the concern is the Hillsboro Boulevard project has taken longer than expected. She too has explained to various individuals that the project would be done in phases and will not be disruptive; however, they also expressed concern that when the Hillsboro Boulevard Project began that the shopping center would be open and they have had to call numerous times to address the problem. She said that another business owner inquired about the sidewalk, and asked if people would be able to get from the parking lot into his business. Therefore, she advised him something will be done to make sure the businesses are accessible.

Mr. Klopp replied yes, they will maintain access to the businesses at all times. He said that there possibly might not be overnight access or for one day while demolition is being done; otherwise, there would be access.

Chair Noland said that she recalls a discussion on night work; whereby, if the sidewalks have to be paved at night, and asked that the Board consider such. She said that she would like the transition to be the least disruptive.

Mr. Hanson said that we have learned from past experiences, so Staff will communicate with the businesses and property owners on the project's status. Additionally, he said that we need to be cognizant of any night work as residential homes are nearby.

Mr. Ganz asked if there is a risk for lawsuits due to the sidewalks not being ADA compliant.

Mr. Hanson replied that the City has already been sued; the current improvements to public facilities are part of the suit agreement. Furthermore, Mr. Hanson said that the lawsuit has already been settled; notwithstanding, there is a difference between private and public entities wherein more time is given to comply with those laws.

Mr. Ganz asked how much are the businesses contributing towards the project.

Mr. Klopp replied that funding is coming from their contributions to the CRA.

Mr. Ganz said that we are getting direction from people who are not directly putting in any money, and after having public input meetings, we seem to be constantly delaying.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

He directed the CRA Director to have the meeting with Keith and Associates advising them to pick up the pace of the project, and suggested that everything else be set aside until the project is underway. He strongly recommended moving forward and said that this project will be beneficial in the long run.

Vice Chair Poitier concurred with Mr. Ganz.

Mr. Klopp said that he will move forward with Keith and Associates.

Mr. Miller said that it was his understanding that the unit owners own half of the sidewalk and the City owns the other half.

Mr. Ganz asked if they are liable, to conforming with ADA compliance.

Mr. Maurodis replied yes, if a portion of their property is not ADA compliant.

Mr. Ganz said that they are running the risk of delaying this and it should be discussed with them.

Mr. Miller asked if the unit owners must sign off as the CRA improves their sidewalks.

Mr. Maurodis replied yes.

Mr. Miller said that someone advised him that they do not want anyone damaging the front of their business. He said that it occurred to him that we are willing to use CRA funds to improve the area, but there must be a signed release. If that is the case, we must move faster to get the ball rolling.

Mr. Maurodis said that the consensus needs to be obtained.

Mr. Miller said that no other public input meetings are needed; however, the CRA should advise the owners how the project will proceed. He also recommended working on the sign offs for the sidewalks.

Vice Chair Poitier asked if the property owners owned half of the sidewalk, who will pay for their half.

Mr. Maurodis said that a special assessment can be done, but the problem is our sidewalk is not ADA compliant and it must be improved.

Vice Chair Poitier said that something must be done with regard to unfair treatment of costs, and recommended they be assessed.

Mr. Maurodis said that this is not a normal situation; in that it is a shopping center and the City owns, maintains, and improves the parking lot.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

Vice Chair Poitier said that a special assessment is necessary as the CRA cannot afford to spend tax payer dollars on the project.

Mayor Noland said that the area was special assessed 15 years ago, for three years, when the current renovations were done.

Mr. Maurodis said that it is a lengthy process.

Mr. Popelsky said that we discussed the sidewalks about a year ago, and it was determined that the fascia would be installed by CRA funds. He recollected that the sidewalks were part of the renovations because for a few more dollars, the entire sidewalk would be done. He said that he is not in favor of an assessment fee at this time due to the economy.

Mr. Maurodis said that the funds are tax increment funds and they are used to improve both public and private facilities. CRA's are created for that purpose, under the concept that if you upgrade the private facilities as well, the revenue will increase because the tax value will increase.

Mr. Ganz said that just because they are in a CRA does not mean they are levied a special CRA charge for being in the CRA; they are paying the same taxes whether they are in a CRA or not. It is skimmed from the top and goes into a special fund that they use to rehabilitate their area, and they are getting a huge benefit.

Mr. Maurodis said that their property taxes are not increased and the tax money would go to Broward County, the North Broward Hospital District, stays here, but the property taxes are not increased as a result of this.

Mr. Hanson directed Mr. Klopp to setup a meeting with Keith and Associates on tomorrow.

Mr. Miller said that he had asked that the possibility of stamped concrete be explored instead of pavers.

Main Beach Parking Lot Expansion – Mr. Klopp said that they have conducted their first meeting with Keith and Associates on the conceptual design. Currently, it is going through the Planning and Zoning process (Staff review). He said that they will move forward with construction and are coordinating with the adjacent property owner to show them the plans and make sure they are comfortable.

Chair Noland asked that the Commission be informed when the project commences.

Dumpster - Mr. Klopp reported that they screened a dumpster behind the fire station on Ocean Way; although it is a minor project he wanted to inform the Board.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

Public Outreach / Annual Reporting – Mr. Klopp said that public outreach and annual reporting work hand in hand. Therefore, an annual report must be prepared and submitted to the Board and the State. He said that other CRAs take advantage of that requirement and also use it as a public report with pictures and project updates, etc. He further stated that the outreach tent events were so successful that he would like to create an annual calendar of times when the CRA tent will be available.

Cove Professional Center – Mr. Klopp said that this was a small contract that an engineer was hired to design a public plaza, but it is really on the Cove Professional Center's property. They had previously requested a façade grant that was denied. Additionally, Mr. Klopp said that there would be changes to make the brick paver from the Hillsboro Streetscape Project between the Cove Professional Center sidewalks appear uniform. He said that the CRA will design it and they will decide whether to fund construction. There will be a continuation possibly benches, landscaping, lighting, etc, to match Hillsboro Boulevard to the Shopping Center. Lastly, the engineer has provided a few concepts that are being reviewed; they will communicate with the engineer and Cove Professional Center to determine the next step.

Chair Noland asked that Mr. Klopp communicate to the owners to clean up behind the building on 15th Avenue.

Landscaping – Mr. Klopp said that the landscaping near the townhomes was fixed up and as a result they have reformed the association and every Saturday they go out as a group and pickup trash. He further advised that they have invited him to speak about the parking lot improvements.

Mr. Ganz applauded Mr. Klopp for his community outreach. He said that the input that was received at Public Works was completely different than what Mr. Klopp said he received from the general public. He asked if the individuals offering feedback were residents or visitors.

Mr. Klopp replied that the input received at the beach and the A1A Meeting was very consistent.

Mr. Ganz said that at the Public Works Meeting, it was indicated that Item "A" was the most popular, but at the Beach, it was Item "B".

Mr. Klopp gave an update of what transpired at the meeting held at the Public Works Facility; the alternative to extend Hillsboro Boulevard and go behind Howard Johnson's received 50% support. The alternative is to only do landscaping, pedestrian safety, etc, but not improving traffic, also received approximately 50% support. The alternative to widen A1A received a total of 3 votes. He said that is very consistent with what has been heard by various individuals on the beach with the tent; people did not want to see A1A expanded as it would be difficult to cross and create more traffic that would be moving at a quicker pace on the S-Curve. He said some liked the opportunity to have

BOARD/ADMINISTRATION COMMENTS – CONTINUED

an alternate route behind Howard Johnson's and through Hillsboro; then some only wanted landscaping and safety measures.

Mr. Ganz asked for an explanation regarding the color scheme for the Cove Professional Center.

Mr. Klopp replied upon completion of the Hillsboro sidewalk, it was made smooth again by reinstalling concrete. He said that there was an opportunity to create a plaza and this was a way to get Mr. Roger Hampton off his façade grant that he was not happy about. He said that the agreement was that the CRA would design it and show him possible renderings, along with the probable cost. Nevertheless, it would be their cost to make it happen.

Additionally, Mr. Klopp said that he believes more offers of this nature should be made. He spoke of an example with Pizzarella, wherein the area could be beautified with landscaping as there is no incentive. He said that this approach was done with the Cove Shopping Center, and was approved by the Board.

Mr. Ganz said that this was done for the façade program, but there was little interest. He said that he is willing to work with the businesses, but does not want to gravel.

Vice Chair Poitier commented on installing brick paver sidewalks from the beach to the turnpike.

Mr. Klopp said that the CRA goes away in 20 years and the investment that will result in the street will be tax dollars to the City.

Mr. Hanson asked that Mr. Klopp explain the process for creating another CRA in other parts of the City.

Mr. Klopp said that not only is it difficult, but if you succeed, you do not get the funding. He said that there is a possibility that the County and State are looking at creating transit oriented development in transit stations along the FEC corridor and realizes that the only way to implement it would be through tax increment funding (TIF). There may be a countywide shift back toward allowing TIF to come to CRA's but only for transit oriented development that is in conformance with their plans. That would potentially extend our ability to have TIF over in the area around Dixie Highway.

Mr. Miller asked who picked out the colors that can be chosen for the 1500 building and the Cove Shopping Center; as many people are not happy with the colors. He further explained that the colors are not Key West.

Mr. Klopp replied that it was a part of the Cove Shopping Center Charrette, a color palette was approved and then the plans to conform come before the Community Appearance Board. He said that he understands that the color is not the issue, but the

BOARD/ADMINISTRATION COMMENTS – CONTINUED

architecture in terms of size. He said that an architect will break the colors up with other façade improvements to make them work. He said those are the changes that need to be made in the Cove and possibly the process.

Mr. Miller asked that we look into this before spending millions of dollars.

Chair Noland commented on the colors not blending in.

In response to Mr. Ganz's question, Chair Noland said that the Community Appearance Board only views a small swatch and not visualizing a building being painted in that color.

Mr. Miller said that if there can be an improvement, he would like Staff to look into any possibilities. He asked if there was a possibility of the restaurant remaining open during the phases as it is a hardship to many of the tourists and the residents. He said that he received feedback that the closure for three (3) months was not a pleasant experience. He asked that Staff try to coordinate the underneath and top being constructed and somehow minimize the closure and downtime of the restaurant.

Chair Noland said that restaurant's contract is temporary.

Mr. Miller said that this is for the public.

Chair Noland said that Caryl Berner brought to her attention that the beach fire station can be purchased by the CRA, refurbish, and then brought back by the City.

Mr. Maurodis said that there may be a specific prohibition in Chapter 163 dealing with CRAs on restricting our ability to use tax increment funds for administrative or public buildings; we could not use it to improve the fire stations or city hall, as it is not for public buildings. Therefore, it would be in violation of Chapter 163. He said the funds are not there to help build a new city hall.

Mr. Ganz said that Mr. Klopp had indicated that if we could prove that by improving the fire station, it would help attract businesses because it provides an economic benefit to the area.

Mr. Maurodis said that he will have to check the statute unless there is a distinction between an administrative building and public safety building, but there is specific language with regard to administrative facilities.

Mayor Noland commented on the fire station's current condition.

Mr. Miller asked if Tom Treacy, from the public could speak.

Mr. Ganz suggested opening comments to allow the public to speak.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

It was the consensus of the Board to allow the public to speak.

Tom Treacy, 1114 Little Harbor, said that he has been involved in developing many shopping centers in the area; i.e. the Delray Mall, the Falls Shopping Center, and others. But never involved in a property wherein there is no charge for a parking lot. Since the City owns the parking lot and will improve it, it is very beneficial to the City to generate revenue. He said that there are parking meters throughout the CRA area and suggested that it be part of the plan to install meters or common area maintenance. He asked if the Board had considered these options as the parking lot will cost \$150,000 to \$250,000 annually to maintain.

Mr. Hanson said that they are considering paying and displaying parking meters this budget year.

In response to Mr. Treacy's question, Mr. Hanson replied that pay and display meters will be recommended to the Commission during the budget process. He said that there is an expense to install meters or pay and display.

Mr. Popelsky said that other City owned parking areas should be considered.

Chair Noland said that people will sometime park at the Cove Shopping Center and walk to the beach to avoid paying.

Pam Militello, 884 SE 19th Avenue, said that the idea of taking over the sidewalks and making improvements came very late in the plan because some of the businesses may not want to come into compliance. She said with CRA funds the Board can make those improvements, hopefully with no objections from the business owners not to want the improvements made. If someone does object to the improvements, they are only trying to stonewall the project. She said that the improvements will be a "win, win" for everyone.

Rita Masi, 19th Avenue, suggested allowing some of the residents or owners of the Cove Shopping Center the opportunity to buy into some of the parking spots. She said that it will be a hindrance to people who frequent the medical building to have to pay to park. She suggested some type of arrangement with tickets for their patrons.

Mr. Popelsky said that it is usually very difficult to maintain that because if a ticket is validated by the business, they end up paying for it. Further, Mr. Popelsky asked if Mr. Klopp had heard anything about PAL's Restaurant.

Mr. Klopp replied that he had received a phone message, but has not heard anything as of yet. He said that there is one interesting development; the owners of the property will be assisting with the Pig in the Park event, by opening up the area for parking, to encourage the vision for connecting the walkway between the Cove Shopping Center and Sullivan Park to the north.

BOARD/ADMINISTRATION COMMENTS – CONTINUED

Continuing, Mr. Klopp said that they have considered creating an agreement with the Cove Shopping Center property owners whereby they would take over maintenance over time; the CRA would pay for maintenance in the first two (2) years, the property owners and CRA would pay a certain percentage, and then increase the percentage each year. Therefore, by the end of the CRA existent they will have 100% of the maintenance costs for the parking lot.

Chair Noland said that Mr. Treacy was trying to create more revenue for the City. Chair Noland also commented on not generating revenue from the Palm Plaza parking lot.

Mr. Klopp said that to hit them with an immediate assessment will cause potential delays; he suggested phasing it in.

Mr. Popelsky said that with this recession, he thinks it would be detrimental at this time to consider having the business owners contribute additional funds over time. He said that he does not want to increase any expenditure to the owners as they will pass it down to the renters. He suggested discussing it once the recession has ended.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:23 p.m.

PEGGY NOLAND, CRA CHAIR

ATTEST:

ADA GRAHAM-JOHNSON, MMC, CITY CLERK

REQUESTED ACTION:

Discussion only. No action required.

SUMMARY EXPLANATION/BACKGROUND:

At the January 26, 2010 and February 16, 2010 CRA meetings, the Board agreed that staff should develop for the Board's consideration recommended revisions to the Redevelopment Plan and Capital Improvement Program (CIP). The Board also agreed that property acquisition is a particularly timely capital improvement item that should be included in the 2011 CIP. The CRA is currently accepting proposals from Real Estate Advisors. (See attached Scope of Work)

The Board's input is sought regarding what criteria should be used in determining the properties the CRA will pursue for purchase. Simply stated, before the acquisition process is commenced, the CRA needs to decide what it would do with the properties.

Public Project(s)

The CRA would purchase a property or properties to assist in the completion of high priority public infrastructure projects or public facility projects that further the objectives of the Redevelopment Plan. These could be, for example, roadway projects or park projects.

Land Banking for Future Development

The CRA would purchase vacant lots or buildings with the intention of seeking, at some point in the future, *referendum* approval to re-sell the property for development in a way that meets garners public support and furthers the Redevelopment Plan.

Public Private Partnership

The CRA could purchase property that would substantially contribute to parcel assembly and facilitate redevelopment through a public private partnership that furthers the vision described in the Redevelopment Plan.

Redevelopment with High ROI (Return On Investment)

Properties which are in use but are substantially under-developed considering the highest and best use as determined by the existing Comprehensive Plan, Zoning, and surrounding uses could be purchased from willing sellers for redevelopment.

ATTACHMENTS:

[Scope of Work for Real Estate Advisor \(recommended consultant and contract to be on 6/15/10 agenda\)](#)

SCOPE OF WORK

The services listed herein will be procured by CRA staff when specialized professional support services are required.

Based on the magnitude of the Scope of Services required by the CRA, some or all of the following tasks may be required.

1. Assist the CRA in the purchase/lease/sale of residential and/or commercial properties within the Community Redevelopment Agency in Deerfield Beach.
2. Assist the CRA in determining the value of properties in which the CRA has an interest, including the determination of the need for and/or performance of formal appraisals.
3. Negotiate the purchase/sale/lease of property as assigned to the Responder by the CRA.
4. Obtain executed purchase agreements in accordance with the form and content approved by the CRA.
5. Advise the CRA and its staff in matters regarding the purchase, offer, claims, counteroffers, discussions, and issues pertaining to the purchase/sale/lease of the assigned property(ies).
6. Coordinate closing schedules on purchases or sales by the CRA, at the request of the CRA.
7. Attend closing as required, ensuring that the CRA receives a copy of all closing documents expeditiously.
8. Attend meetings and/or public hearings with CRA staff, their agents, City of Deerfield Beach officials, property owners, and other parties involved in the project, at either the request of the CRA or as part of the Responder's work effort.
9. Assist the CRA with efforts of obtaining plans, right-of-way maps, title searches, title commitments, owner's title policies, appraisals, and surveys for an acquisition.
10. Provide other real property services requested by the CRA to plan, implement, negotiate, purchase, sell, lease and acquire the property assigned to the Responder by the CRA.
11. Assist the CRA acquiring properties through tax sales, foreclosure sales, bankruptcy sales, and other judicial processes as necessary.
12. Maintain professional courtesy in all contacts with property owners.
13. Provide the CRA with the original and/or a copy of all documents produced by the Responder as a result of the work assigned, if requested.

REQUESTED ACTION:

Comments and Consensus to Proceed with Submittal of Pier Entrance Plans to City Commission.
No formal action required.

SUMMARY EXPLANATION/BACKGROUND:

Subsequent to receiving city-wide consensus on the initial schematic for the new Pier Entrance Buildings, CRA staff proceeded to have pre-application discussions with the Florida Department of Environmental Protection (FDEP) regarding the plans. Based upon the comments and suggestions received, CRA staff and the project architect sought alternatives that would improve the likelihood of approval by FDEP while also enhancing the local benefits and appeal of the project. The new layout addresses FDEP's main suggestion of moving the new buildings away from, rather than closer to, the ocean. This was accomplished with two modifications: the storage area will now be at the north end of the restaurant and the office will be upstairs along with the observation tower.

Staff's intent is to request site plan approval from the City Commission on June 1, and then to submit a formal permit application to the Florida Department of Environmental Protection as soon as possible thereafter.

ATTACHMENTS:

New schematic design.

REQUESTED ACTION:

Discussion only. No action required.

SUMMARY EXPLANATION/BACKGROUND:

CRA funds may only be expended to further the adopted Community Redevelopment Plan. There is currently no explicit language in our Plan that would allow for the CRA to budget funds to support or sponsor quality of life and business generating activities within the Redevelopment Area. The existing plan is very infrastructure oriented. Staff seeks input from the Board as to whether a Redevelopment Plan amendment should be presented for your consideration in order to provide the CRA with the ability to earmark funds to support or sponsor quality of life and business generating activities.

ATTACHMENTS:

None

REQUESTED ACTION:

A motion authorizing staff to advertise for the pre-qualification of contractors for the Cove Shopping Center Parking Lot Reconstruction.

SUMMARY EXPLANATION/BACKGROUND:

City Code requires City Commission approval before a pre-qualification can be advertised. The City Commission approved advertising the pre-qualification of contractors for the Cove Shopping Center Parking Lot Reconstruction at its May 4 meeting. The City Attorney requested that the CRA follow suit.

Thus, a motion granting CRA and City staff the authority to advertise for pre-qualification of contractors for the Cove Shopping Center Parking Lot reconstruction project is hereby requested.

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ATTACHMENTS:

None

REQUESTED ACTION:

A motion authorizing staff to advertise for a Request For Qualifications (RFQ) for the selection of a Construction Manager at Risk for the reconstruction of the landward portion of the City's Pier as well as the new Pier Entrance Buildings is requested.

SUMMARY EXPLANATION/BACKGROUND:

The Procurement Code requires Board approval before the Construction Manager at Risk process can be commenced. Upon the CRA Board's authorization to proceed, staff will advertise an RFQ to commence the process of selecting a Construction Manager at Risk.

Once selected by the CRA Board, the Construction Manager at Risk will be authorized to negotiate a Guaranteed Maximum price to reconstruct the pier structure and construct the new buildings.

ATTACHMENTS:

None

REQUESTED ACTION:

A motion confirming the authority of the CRA Director to administratively procure additional services related to the design and construction of the Pier Entrance Buildings in accordance with the City's Procurement Code, including additional services as necessary from the architect for the project, Garcia Stromberg.

SUMMARY EXPLANATION/BACKGROUND:

The Garcia Stromberg contract is a lump sum contract. This request seeks confirmation that additional services, as determined necessary by the CRA Director, may be authorized administratively within the limits of the procurement code. A case in point would be hard costs stemming from revisions made to the plans in order to address FDEP's comments.

In addition to architectural services from Garcia Stromberg, other related needs have arisen, particularly related to coastal engineering. The requested motion clarifies that such services can be procured without CRA Board approval, unless such approval is required by the City Procurement Code (which, by resolution, applies to the CRA and CRA Director).

ATTACHMENTS:

[Purchasing Thresholds as Delineated in City Code](#)

Deerfield Beach Code of Ordinances

Sec. 38-126. **Purchasing** thresholds.

(a) *Purchases under \$2,500.00.* Department heads have authorization to purchase goods and services which are less than \$2,500.00 for a single purchase, subject to a valid current appropriation for the items to be purchased. Payment for the goods and services shall be made using a purchase order, pay authorization, procurement card, or check request form, or a written contract. The procurement requirement shall not be artificially divided so as to constitute a small purchase, nor may a department head make successive purchases for the same item from the same vendor in order to fall within the \$2,500.00 limit.

(b) *Purchases under \$5,000.00.* In addition to the requirement set forth in section 38-126(a), purchases of more than \$2,500.00 and less than \$5,000.00 must have three verbal or written quotes, which quotes are documented in the file (and provided the contract is awarded to the lowest qualified quote), and may be authorized by a department head. Procurement requirements shall not be artificially divided so as to constitute a small purchase, nor may a department head make successive purchases for the same item from the same vendor in order to fall within the \$5,000.00 limit.

(c) *Purchases over \$25,000.00.* The city manager may authorize the purchase of goods or services in an amount not to exceed \$25,000.00, provided that any purchase above \$5,000.00 can only be made after three written quotes are obtained, and provided the contract is awarded to the lowest qualified quote. Procurement requirements shall not be artificially divided so as to constitute a small purchase, nor may a department head make successive purchases for the same item from the same vendor in order to fall within the \$25,000.00 limit. A notice of all purchases over \$10,000.00 pursuant to this subsection shall be filed with the city clerk by the city manager or his designee. The notice shall contain the amount of the contract, the vendor awarded the contract, and the three quotes received. Purchase of goods and services in excess of \$25,000.00 require competitive bidding as set forth herein, unless specifically exempted. Professional engineering, architectural and other services governed by F.S. § 287.055, shall be procured in accordance with the Consultant's Competitive Negotiations Act, F.S. § 287.055.

REQUESTED ACTION:

A motion authorizing a transfer of funds in the amount of \$30,000 from the CRA's "Other Contractual Services" account to its "Personal Services" account is requested.

SUMMARY EXPLANATION/BACKGROUND:

This transfer will facilitate the employment of a CRA Coordinator as a contract employee through the remainder of Fiscal Year 2011. The amount is based upon 35 hours a week at an hourly rate comparable to the market rate for an employee with the professional responsibilities required. As proposed, the contract position would not include benefits.

Transfer Details:

From: 190-8000-552.10-01
\$30,000

To: 190-8000-552.32-99
\$30,000

ATTACHMENTS:

None